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# ***Public Utilities Commission of the State of California***

*William Ahern, Executive Director*

## Headquarters

505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2782

## Southern California Office

320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013  
(213) 576-7000

Website: <http://www.cpuc.ca.gov>

Online Calendar Archive: [http://www.cpuc.ca.gov/daily\\_calendar\\_archive/](http://www.cpuc.ca.gov/daily_calendar_archive/)

## **Daily Calendar** **Friday, October 10, 2003**

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/  
Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications

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**The Commission Daily Calendar will not be published on October 13, 2003 due to a State Legal Holiday.**



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. Please see the *Notice to People With Disabilities* section on page two of this Daily Calendar for further information.

## REGULAR COMMISSION BUSINESS MEETINGS

October 16, 2003	10 am	San Francisco
October 30, 2003	10 am	San Francisco
November 13, 2003	10 am	San Francisco

## COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

*Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.*

October 10, 2003	1:30 pm	San Francisco
October 27, 2003	1:30 pm	San Francisco
November 7, 2003	1:30 pm	San Francisco

## OTHER COMMISSION MEETINGS

### **The Western Energy Market Access Forum**

October 22, 2003 8:30 am – 4 pm  Comissioner Peevey	Hiram Johnson State Building 455 Golden Gate Avenue Auditorium <b>San Francisco</b>
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The *Western Energy Market Access Forum*, a one-day program hosted by the CPUC, and sponsored by National Association of Regulatory Utility Commissioners (NARUC) and the Department of Energy, will focus on utility Women/Minority Business Entrepreneur (WMBE) Development programs; regulatory models that increase marketplace participation and reduce barriers to market entry; and initiatives and opportunities in energy and telecommunications. The forum will also explore the portability and application of programs like the California Regulatory model in other states. The forum aims to encourage utility participation in WMBE market access programs, which includes gas, electricity, water and telecommunication markets and the procurement of all goods and services.

Speakers and participants include California PUC Commissioners, California utility CEO's and managers, and WMBE companies.

An agenda will be posted at [www.cpuc.ca.gov](http://www.cpuc.ca.gov). For further information please contact Art Jimenez, WMDVBE program manager at (415) 703-4112.

## NOTICE TO PEOPLE WITH DISABILITIES

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair

accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

- e-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)  
toll-free: 1-866-849-8390  
Voice: 415-703-2074  
FAX: 415-355-5404 (Attn.: Public Advisor)  
TTY: 1-866-836-7825 (toll-free)  
1-415-703-5282

## **NOTICES**

### **Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4<sup>th</sup> Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed **ONLY** to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

### **Charge for Commission Documents**

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

### **Commission Resources Available for Rental**

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

## **SUBSCRIPTION INFORMATION**

### **Subscription Notice for Draft Agenda Items**

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10

to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and Sacramento field offices. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

#### **Subscription Notice for Daily Calendar and/or Agenda**

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

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### **COMMISSIONER OFFICE HOURS**

**NONE**

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### **PUBLIC MEETING & WORKSHOPS**

#### **Public Meeting Notice - Public Payphone Programs**

*Payphone Service Providers Advisory Committee*  
*October 14, 2003*  
*10 am - 1 pm*

*Public Utilities Commission*  
*505 Van Ness Avenue, Room 4206*  
*(Corner of Van Ness Avenue and McAllister Street)*  
*San Francisco*

The Payphone Service Providers Committee (PSPC) will hold its regular meeting for the Payphone Service Providers Enforcement (PSPE) program, the Public Policy Payphone Program (PPPP), and the TDD Placement Interim Committee (TPIC) to discuss the following:

Hear Public Comments

Review/Approve June 4, 2003 Meeting Minutes

Review/Discuss Unfinished Business

Government Code 1090/Conflict of Interest Issue

Signing of Charter

PPPP Application Follow-up: Our Lady of Malibu and City of Paso Robles

PSPE Process For Submitting PPPP Applications to PSPC

Roster Amendment

Telecommunications Devices for the Deaf Organization List Follow-up

PSPE/PPPP/TPIC Financials and Staffing

Program Financials

2004-2005 State Budget

TPIC Application Review and Discussion

Request for TTY Application for City of Visalia

PPPP New Application Review and Discussion

Snowline

Novato Fire Department

PSPE Discussion

Staffing

Status of New CLECs (3)

Payphone Inspection Report

2003 Payphone Line Count Report

Payphone Signage Requirement As Outlined in Tariffs

Quarterly Report to the Commission

Set Future Agenda Items

**The Board will meet in Closed Session to:** Review Personnel Issues.

The general meeting is open to the public. The Board reserves the right to limit the time allocated to public comments and each speaker. If you would like to receive an agenda or full meeting packets, please notify the PSPE office at (415) 703-2071 voice or 1 (800) 229-6846 TTY or e-mail [wel@cpuc.ca.gov](mailto:wel@cpuc.ca.gov).

**Deaf/Hearing Impaired Notice:** Deaf/Hearing Impaired Sign Language Services will be available for the duration of the PSPC meeting.

**Public Meeting Notice – ULTS Administrative Committee**

October 22, 2003

10 am - 12:30 pm

Public Utilities Commission

505 Van Ness Avenue, Technical Library

(Corner of Van Ness Avenue and McAllister Street)

San Francisco

Universal Lifeline Telephone Service (ULTS) Trust Administrative Committee will meet on this day. Meeting packet including the agenda for this meeting is available at

<http://www.cpuc.ca.gov/static/industry/telco/public+programs/advisory+boards/ults.htm> or call Angela Young at 415-703-2837.

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**NOTICE OF DRAFT RESOLUTIONS**  
**(Pursuant to PU Code § 311(g))**

**NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to General Order 66-C Request by Anthony Hopkins, Esq., on behalf of Keith and Nicolle Cooper, seeking disclosure of Commission staff investigative records relating to an electric shock of Mr. Cooper on March 28, 2001 at 7326 Irwingrove Avenue, Downey, California (Incident No. EIR20010328-01).

A draft resolution (L-304) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. EIR20010328-01, is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-304, amend or modify it, or set it aside and prepare a different resolution.

On September 16, 2003, the draft resolution was circulated to the requesting party and the subject utility, Pacific Gas and Electric, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov).

The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 6, 2003, at the address set forth below. Reply comments must be filed by October 14, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Jason Reiger  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5125  
San Francisco, CA 94102  
Telephone: (415) 355-5596 E-mail: [jzr@cpuc.ca.gov](mailto:jzr@cpuc.ca.gov)

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**NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to General Order 66-C Requests by Kevin Downes, Esq., on behalf of Ted W. Page Enterprises, Inc., and Alison Mathews, Esq., on behalf of Andrew M. Worswick and Gail E. Drayton, seeking disclosure of Commission staff investigative records relating to a fire and explosion on March 1, 2002 at 1319 Palisades Beach Road, Santa Monica, California (Incident No. GIR20020301-01).

A draft resolution (L-305) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. GIR20020301-01, is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-305, amend or modify it, or set it aside and prepare a different resolution.

On September 16, 2003, the draft resolution was circulated to the requesting party and the subject utility, Southern California Gas Company, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov). The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 6, 2003, at the address set forth below. Reply comments must be filed by October 14, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Jason Reiger  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5125  
San Francisco, CA 94102  
Telephone: (415) 355-5596 E-mail: [jzr@cpuc.ca.gov](mailto:jzr@cpuc.ca.gov)

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The Telecommunications Division has prepared Resolution T-16771 for the October 30, 2003, Commission Agenda. This resolution authorizes The Ponderosa Telephone Company \$3,774,297 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1). Any questions or comments should be directed to:

Larry Hirsch  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30232.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30232.doc)**

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The Telecommunications Division has prepared Resolution T-16755 for the October 30, 2003, Commission Agenda. This resolution authorizes The Pinnacles Telephone Company \$300,400 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Jerry Shiu  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1233

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30220.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30220.doc)**

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The Telecommunications Division has prepared Resolution T-16764 for the October 30, 2003, Commission Agenda. This resolution authorizes The Ducor Telephone Company \$1,907,645 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Eric Van Wambeke  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-2896

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30228.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30228.doc)**

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The Telecommunications Division has prepared Resolution T-16762 for the October 30, 2003, Commission Agenda. This resolution authorizes The Cal-Ore Telephone Company \$1,620,332 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in



accordance with PUC Code Section 311 (g)(1).  
Any questions or comments should be directed to:

Rudy Sastra  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-2673

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30226.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30226.doc)**

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The Telecommunications Division has prepared Resolution T-16756 for the October 30, 2003, Commission Agenda. This resolution authorizes The Calaveras Telephone Company \$1,408,640 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).  
Any questions or comments should be directed to:

Nazmeen Rahman  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1625

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30222.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30222.doc)**

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The Telecommunications Division has prepared Resolution T-16773 for the October 30, 2003, Commission Agenda. This resolution accepts Verizon's annual intrastate earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).  
Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1901

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30243.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30243.doc)**

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The Telecommunications Division has prepared Resolution T-16774 for the October 30, 2003, Commission Agenda. This resolution accepts Citizen Telecommunications Company's annual intrastate shareable earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1). Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1901

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30248.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30248.doc)**

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The Telecommunications Division has prepared Resolution T-16772 for the October 30, 2003, Commission Agenda. This resolution accepts SBC's annual earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1). Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1901

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30240.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30240.doc)**

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## **NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to a Subpoena by Timothy Smith, Esq., on behalf of Timothy Fielding, seeking disclosure of Commission staff investigative records relating to a trench collapse on September 16, 2001 at Dry Creek Road, Rio Linda, California (Incident No. GIR20010916-01).

A draft resolution (L-306) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. GIR20010916-01, is scheduled for consideration on the October 30, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-306, amend or modify it, or set it aside and prepare a different resolution.

On September 30, 2003, the draft resolution was circulated to the requesting party and the subject utility, Pacific Gas and Electric Company, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov). The Commission will consider the draft resolution at its October 30, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 20, 2003, at the address set forth below. Reply comments must be filed by October 27, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Fred Harris  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5002  
San Francisco, CA 94102  
Telephone: (415) 703-1557 E-mail: [fnh@cpuc.ca.gov](mailto:fnh@cpuc.ca.gov)

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**NOTICE OF DRAFT RESOLUTIONS**  
**(Pursuant to PU Code 311(g)(1))**

The Telecommunications Division has prepared Resolution T-16775 for the October 30, 2003, Commission Agenda. This resolution accepts Roseville Telephone Company's annual intrastate earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Telephone: (415) 703-1901

**[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30300.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30300.doc)**

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**NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to Subpoena by Richard A. Cohn of the Law Offices of Aitken Aitken & Cohn on behalf of Francilene M. Kincannon, et al., Seeking Disclosure of Commission Staff Investigative Records Relating to the Death of John A. Kincannon (Incident No. EIR20020811-01).

A draft resolution (L-307) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. EIR20020811-01 is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-307, amend or modify it, or set it aside and prepare a different resolution.

On September 30, 2003, the draft resolution was circulated to the requesting party and the subject utility, Southern California Edison, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 (f)(7) and 81 of the Commission's Rules of Practice and Procedure. The comment period has been reduced, in accord with Rule 77.7 (f)(7), in order to permit a more timely response to the subpoena for investigation records. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov).

The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 10, 2003, at the address set forth below. Reply comments must be filed by October 13, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Fred Harris  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 4107-9  
San Francisco, CA 94102  
Telephone: (415) 703-1557 E-mail: [fnh@cpuc.ca.gov](mailto:fnh@cpuc.ca.gov)

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**NOTICE OF DRAFT RESOLUTIONS**  
**(Pursuant to PU Code 311(g)(1))**

The Telecommunications Division has prepared Resolution T-16783 for the November 13, 2003, Commission Agenda. This Resolution authorizes Cingular Wireless to deviate from Public Utilities Code Section 320 to apply an aerial strand and to install its wireless facility

within 1,000 feet of Highway 50, a scenic highway located in El Dorado, County, California. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Rudy Sastra  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-2673

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30569.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30569.doc)

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### NEW FILINGS

9/25/03	C03-09-046	<b>ECP - Marcy A. Warner vs. Pacific Bell Telephone Company, dba SBC California</b> , for improper toll charges in the total amount of approximately \$1,035.00.
10/1/03	A03-10-017	<b>California Water Service Company (U 60-W)</b> , for authorization to increase rates charged for water service in the <b>SOUTH SAN FRANCISCO</b> district by \$1,084,700 or 10.83%, in 2004, by \$386,100 or 3.5% in 2005, by \$193,500 or 1.7% in 2006, and \$200,300 or 1.7% in 2007.
10/1/03	A03-10-018	<b>California Water Service Company (U 60-W)</b> , for authorization to increase rates charged for water service in the <b>STOCKTON</b> district by \$2,906,200 or 15.85%, in 2004, by \$1,753,600 or 8.25% in 2005, by \$1,714,700 or 7.46% in 2006, and \$1,729,700 or 7.00% in 2007.
10/1/03	A03-10-019	<b>California Water Service Company (U 60-W)</b> , for authorization to increase rates charged for water service in the <b>MID-PENINSULA</b> district by \$2,981,500 or 15.70%, in 2004, by \$1,041,100 or 4.74% in 2005, by \$1,031,000 or 4.48% in 2006, and \$1,043,700 or 4.34% in 2007.
10/1/03	A03-10-021	<b>California Water Service Company (U 60-W)</b> , for authorization to increase rates charged for water service in the <b>BAKERSFIELD</b> district by \$11,343,800 or 30.90%, in 2004, by \$1,521,600 or 3.17% in 2005, by

\$826,400 or 1.67% in 2006, and \$867,000 or 1.72% in 2007.

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|---------|------------|---|
| 10/3/03 | A03-10-022 | Southern California Edison Company (U 338-E), for approval of its 2004 Revenue Requirement and related estimates under the Energy Resource Recovery Account (ERRA); and for a Commission Finding that its Procurement-related and other Operations were reasonable for the Record Period September 1, 2001 through June 30, 2003.   |
| 10/7/03 | C03-10-016 | Wholesale Airtime, Inc. (U 5751-C) vs. OneStar Long Distance, Inc. (U 6129-C), for the following orders: (1) that defendant cease and desist its billing to Complainant and its attempt to collect its unlawful charges; (2) that defendant pay reparations and restitution to Complainant pursuant to Public Utilities Code Section 1013(h) or other lawful authority in an amount sufficient to fully compensate Complainant for its cost of migrating its customers to defendant's service and then, migrating its customers to an alternative service provider after defendant unlawfully increased its rates, plus interest; and (3) for the imposition of fines on defendant, and for such other and further relief as the Commission may deem just and proper. |
| 10/8/03 | C03-10-023 | <b>ECP</b> – Vicki L. Cox vs. Pacific Bell Telephone Company, dba SBC California, for improper charges in the amount of \$520.00.   |
| 10/8/03 | A03-10-024 | Fariborz Alishahi, dba Orange County Cruiser and Simin Rad, for approval of the transfer by sale of the operating authority held by seller in passenger stage corporation certificate 15262 from seller to buyer pursuant to the provisions of Public Utilities Code Section 851 et seq. (Fariborz Alishahi, dba Orange County Cruiser, 2222 Michelson Drive, Suite 505, Irvine, CA 92612; (949) 337-6639; and Simin Rad, dba Orange County Cruiser, 824 W. Cully Drive, Orange, CA 92865; (714) 637-8046).   |

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

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10/8/03	A03-01-019	Southern California Edison Company (U 338-E), for authority to lower and adjust Retail Electric Rates for all customer classes upon completion of Full Recovery of Procurement Related Obligations Account (PROACT); <b>Petition for Modification of D03-07-029 by the Western Manufactured Housing Community Association.</b>
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**DRAFT DECISIONS \* PROPOSED DECISIONS \* ALTERNATES \* PRESIDING  
OFFICER'S DECISION \* ARBITRATOR'S REPORTS**

NONE

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**ADVICE LETTER FILINGS**

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

To protest a filing, mail the original letter/telegram to the Chief of the appropriate division (i.e., "Chief, [Energy, Telecommunications or Water] Division"), to be received no later than 20 days after the date the Advice Letter was filed.

"Effective TBD" means that the date is to be determined by further Commission action. A date listed as "anticipated effective" may be subject to change. An Advice Letter Supplement is not a new filing, and there is no protest period unless indicated.

09/26/03	Telecom 24238	PACIFIC BELL, Customer specific contract for DDD-VPP, Local & Zones 1,2,3 Usage Measurement, Calling Card, Custom 8, High Capacity (HICAP), Super Trunk, PBX & Centrex service ( <b>effective TBD</b> )
09/26/03	Telecom 24239	PACIFIC BELL, Express contract for High Capacity (HICAP) and Primary Rate Interface (PRI) service ( <b>effective TBD</b> )
09/26/03	Telecom 24240	PACIFIC BELL, Category III, Schedule D. Table of Contents ( <b>effective TBD</b> )
09/26/03	Telecom 24242	PACIFIC BELL, South Placer and Auburn realignment ( <b>effective TBD</b> )
09/26/03	Telecom 317	THE SISKIYOU TELEPHONE COMPANY, CHCF - A

FILING (**effective TBD**)

09/30/03	Telecom 815	CITIZENS TELECOMMUNICATIONS CO. OF CA., Annual 2004 Price Cap filing. ( <b>effective TBD</b> )
10/01/03	Telecom 2772	AT&T COMMUNICATIONS OF CALIFORNIA, INC, REVISE RATE FOR A SERVICE PLAN ( <b>effective TBD</b> )
10/01/03	Telecom 216	TIME WARNER TELECOM OF CALIFORNIA, L.P., INCORPORATES TEXT CHANGES TO LOCAL SERVICES TARIFF ( <b>effective TBD</b> )
10/01/03	Telecom 10622	VERIZON CALIFORNIA, INC., Rights of Way Agreements ( <b>effective TBD</b> )
10/02/03	Telecom 79	BELL ATLANTIC COMM., INC. (DBA VERIZON), ADDS LDMTS BUSINESS MINIMUM SPEND LEVEL ( <b>effective TBD</b> )
10/02/03	Telecom 35	DELAWARE ADVANCED TELCOM, INC., extend promotion ( <b>effective TBD</b> )
10/02/03	Telecom 237	FORESTHILL TELEPHONE COMPANY, INC., CHCF - A FILING 2004 ( <b>effective TBD</b> )
10/03/03	Energy 1405G	SAN DIEGO GAS & ELECTRIC COMPANY, Gas Procurement Performance-Based Ratemaking Mechanism ( <b>anticipated effective 11/12/03</b> )
10/03/03	Energy 1530E 1404G	SAN DIEGO GAS & ELECTRIC COMPANY, Revisions to Self-Generation Program Memorandum Accounts in Compliance with D.03-08-013 ( <b>anticipated effective 11/12/03</b> )
10/03/03	Telecom 322	KERMAN TELEPHONE COMPANY, Compliance with Ordering Paragraph 2 ( <b>effective TBD</b> )
10/03/03	Telecom 123	ONE CALL COMMUNICATIONS, INC., INTRODUCE NEW RATE PLAN, INCREASE 1-800-YOU-SAVE RATES, REDUCE PUBLIC PAY PHONE SURCHARGE AND PSP SURCHARGE ( <b>effective TBD</b> )
10/03/03	Telecom 24171-A	PACIFIC BELL, <b>Supplements A.L.No.24171</b> , Access service, IntraLATA Wholesale Service - tariff modifications ( <b>effective TBD</b> )



10/03/03	Telecom 24257	PACIFIC BELL, AMENDMENT 1 WITH PREPAID TEL. COM, INC. ( <b>effective TBD</b> )
10/03/03	Telecom 94	TALK AMERICA, INC., increase DA charge, reduce DA call completion charge ( <b>effective TBD</b> )
10/03/03	Telecom 95	TALK AMERICA, INC., reduce directory assistance charge ( <b>effective TBD</b> )
10/06/03	Energy 2428E	PACIFIC GAS & ELECTRIC COMPANY, Advanced Metering Project - Demand Response Programs Demand Reserves Partnership Program Implementation Plan in Compliance with D.03-06-032. ( <b>anticipated effective 10/06/03</b> )
10/06/03	Energy 1406G	SAN DIEGO GAS & ELECTRIC COMPANY, Revision of Core and Noncore Gas Procurement Rates Effective October 11, 2003 ( <b>anticipated effective 10/11/03</b> )
10/06/03	Energy 1531E	SAN DIEGO GAS & ELECTRIC COMPANY, Permanent Allocation of Demand Reserves Partnership Program Resources and Status Update on Implementation Plan in Compliance with D.03-06-032. ( <b>anticipated effective 10/06/03</b> )
10/06/03	Energy 1750E	SOUTHERN CALIFORNIA EDISON COMPANY, Permanent Allocation of Demand Reserves Partnership Program Resources and Status Update on Implementation Plan in Compliance With D.03-06-032 ( <b>effective TBD</b> )
10/07/03	Energy 1532E	SAN DIEGO GAS & ELECTRIC COMPANY, Revised Nuclear Decommissioning Rates Effective October 7, 2003 ( <b>anticipated effective 10/07/03</b> )
10/08/03	Telecom 24155-B	PACIFIC BELL, <b>Supplements A.L.No.24155</b> , To add the Centrex Optional Features - Centrex Simultaneous Ring one number and centrex simultaneous ring ( <b>effective TBD</b> )
10/08/03	Telecom 24256	PACIFIC BELL, ICA WITH GTC TELCOM ( <b>effective TBD</b> )
10/08/03	Telecom 10624	VERIZON CALIFORNIA, INC., ISDN-PRI NRC WAIVER 4Q03 ( <b>effective TBD</b> )

10/08/03	Water 589	CALIFORNIA-AMERICAN WATER COMPANY, [Larkfield District] Add a surcharge to recover the net undercollection of supply related purchased power costs recorded in its balancing account. ( <b>effective TBD</b> )
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**ADVICE LETTER SUSPENSIONS (Pursuant to M-4801, 04/19/01)**

To inquire about a suspension, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

**NONE**

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**ADVICE LETTER PROTESTS**

To inquire about a protest, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

10/01/03	Energy 2423E	PACIFIC GAS & ELECTRIC COMPANY, Interim renewable energy solicitation <b>Protest by TURN.</b>
10/09/03	Water 234-W	SUBURBAN WATER SYSTEMS, Request account review of balancing-type accounts per Decision 03-06-072, dated June 19, 2003. <b>Protest by Office of Ratepayer Advocates.</b>

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**MISCELLANEOUS TRANSPORTATION ITEMS**  
**Filings with Consumer Protection and Safety Division**

10/03/03	TCP 15430-A	Campo Band of Mission Indians DBA Golden Acorn Casino and Travel Center; Mailing Address: 1800 Golden Acorn Way, Campo CA 91906; Terminal Address: Same; Tel. No.: 619- 938-6015; Application filed for Class A Charter- Party authority.
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09/24/03	TCP 16872-A	CUSA GBL LLC DBA Grosvenor Bus and San Francisco Sightseeing; Mailing Address: 300 Toland Street, San Francisco CA 94124; Terminal Address: Same; Tel. No.: 415-642-9400; Application filed for Class A Charter-Party authority.
09/24/03	TCP 16877-A	CUSA FL LLC DBA Franciscan Lines and San Francisco Sightseeing; Mailing Address: 300 Toland Street, San Francisco CA 94124; Terminal Address; Same; Tel. No.: 415-642-9400; Application filed for Class A Charter-Party authority.
10/02/03	TCP 16907-A	CUSA CC, LLC DBA Antelope Valley Bus and Airport Bus of Bakersfield; Mailing Address: 3333 e. 69yh St, Long Beach CA 90805-1809; Terminal Address: 12776 Foothill Blvd., Sylmar Ca 91342; Tel. No.: 562-634-7969; Application filed for Class A Charter-Party authority.

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**NONE**

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**TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS**

10/8/03	A.03-04-015	Walker - In the Matter of the Application of Park Water Company (U 314 W) for Authority to Increase Rates in its Central Basin Division as authorized by NOI 03-04-004: In 2004 of \$1,775,880 or 9.83% above revenues generated by present rates, in 2005 of \$671,705 or 3.39% above the revenues generated by the rates proposed for 2004, in 2006 of \$674,319 or 3.29% above the 2005 revenue requirements.
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**ADJOURNMENTS \* RESETTINGS \* HEARINGS CONCLUDED**

- A.02-11-044     **Correction to the Daily Calendar of 10/9/03**  
Patrick - In the Matter of the Application of SAN GABRIEL VALLEY WATER COMPANY (U337W) for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division to increase revenues by \$11,573,200 or 39.1% in 2003, \$3,078,400 or 7.3% in 2004, \$3,078,400 or 6.8% in 2005, and \$3,079,900 or 6.4% in 2006,  
**Evidentiary Hearing held and submitted upon the receipt of the Opening Briefs due 11/14/03 and the Reply Briefs due 12/12/03**
- A.02-01-031     Simon - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara,  
**Prehearing Conference held and concluded**
- A.02-12-027     Long - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and
- A.02-12-028     Long - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and
- I.03-03-016     Long - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company,  
**Evidentiary Hearing held and continued to October 10**
- R.93-04-003     Duda - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
- I.93-04-002     Duda - Investigation on the Commission's Own Motion  
(**Verizon** into Open Access and Network Architecture  
**UNE Phase**) Development of Dominant Carrier Networks,  
**Evidentiary Hearing originally set for February 23 – 27 reset to June 14 - 18**

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**REMOVALS FROM CALENDAR**

**NONE**

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**NEW SETTINGS**

10/24/03 ALJ Thomas Comr Kennedy	10:00 a.m. C.03-02-003	<b>(M)</b> - Oakland Unified School District, Complainant, vs. TCG San Francisco (U-5454-C), and AT&T Communications of California (U-5002-C), Defendants, <b>Commission Courtroom, San Francisco</b>
1/12/04 ALJ Pulsifer Comr Kennedy	10:00 a.m. R.95-04-043	<b>(EH)</b> - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
	I.95-04-044	<b>(EH)</b> - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service, <b>Commission Courtroom, San Francisco</b> <b>(also January 13 - 16)</b>
1/13/04 ALJ Duda Comr Peevey	9:30 a.m. R.93-04-003	<b>(WS)</b> - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
	I.93-04-002 <b>(Verizon UNE Phase)</b>	<b>(WS)</b> - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, <b>San Francisco Civic Center Complex</b> <b>455 Golden Gate Avenue, Hearing Room 9</b> <b>San Francisco, CA</b> <b>(also January 14 - 15)</b>

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**LAW AND MOTION**

Law and Motion Hearings are held before **Administrative Law Judge Sarah R. Thomas and Peter Allen** at 10:00 a.m. in one of the Commission's San Francisco Office Hearing

Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

10/13/03	10:00 a.m.	NONE SCHEDULED
10/20/03	10:00 a.m.	NONE SCHEDULED
10/27/03	10:00 a.m.	NONE SCHEDULED

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### FINAL ORAL ARGUMENTS (FOA)

NONE

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### HEARINGS

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

**(PHC)** = *Prehearing Conference*

**(WS)** = *Workshop*

**(EH)** = *Evidentiary Hearing*

**(FPH)** = *Full Panel Hearing*

**(PPH)** = *Public Participation Hearing*

**(AH)** = *Arbitration Hearing*

**(IAM)** = *Initial Arbitration Meeting*

**(CA)** = *Closing Argument*

**(M)** = *Mediation*

**(LM)** = *Law & Motion*

**(ECP)** = *Expedited Complaint Procedure*

**(OA)** = *Oral Argument*

**(OSC)** = *Order to Show Cause*

10/10/03	9:30 a.m.	<b>(EH)</b> - Application of SOUTHERN CALIFORNIA
ALJ Long	A.02-12-027	GAS COMPANY for authority to update its gas
Comr Wood		revenue requirement and base rates. (U 904 G), and
	A.02-12-028	<b>(EH)</b> - Application of SAN DIEGO GAS &
		ELECTRIC COMPANY for authority to update its gas
		and electric revenue requirement and base rates.
		(U 902-M), and

	I.03-03-016	<b>(EH)</b> - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company, <b>Commission Courtroom, San Francisco</b> <b>(also October 14 – 17; October 20 – 24;</b> <b>October 27 – 28 and November 12 – 14)</b>
10/10/03 ALJ Malcolm Comr Lynch	10:00 a.m. A.02-05-046	<b>(M)</b> - In the Matter of the Application of Southern California Edison Company (U 338 E) Regarding the Future Disposition of the Mohave Generating Station, <b>Commission Conference Room 5012, San Francisco</b>
10/10/03 ALJ Thorson Comr Brown	10:00 a.m. A.03-01-034	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
	A.03-01-035	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
	A.03-01-036	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and
	A.03-01-037	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District, <b>Commission Courtroom, San Francisco</b>
10/10/03 ALJ O'Donnell Comr Brown	10:00 a.m. R.03-03-017	<b>(PHC)</b> - Order Instituting Rulemaking on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and
	I.03-03-018	<b>(PHC)</b> - Order Instituting Investigation on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and

	C.00-01-017	<b>(PHC)</b> - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants, <b>Commission Courtroom, San Francisco</b>
10/14/03 ALJ Brown Comr Peevey	10:00 a.m. A.03-07-032	<b>(EH)</b> - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for Approval of a Power Purchase Agreement under PUHCA Section 32(k) Between the Utility and a Wholly-Owned Subsidiary and for Authority to Recover the Costs of Such Power Purchase Agreement in Rates, <b>Commission Courtroom, San Francisco (Also October 15 – 17 and October 20 – 24)</b>
10/15/03 ALJ Grau Comr Brown	10:00 a.m. C.03-05-023	<b>(EH)</b> - Raw Bandwidth Communications, Inc., Complainant, vs. SBC California, Inc. (U-1001-C), SBC Advanced Solutions, Inc. (U-6346-C), and Does 1-10, Defendants, <b>Commission Courtroom, San Francisco</b>
10/16/03 ALJ Thomas Comr Brown	10:00 a.m. C.03-07-031	<b>(PHC)</b> - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants, <b>Commission Courtroom, San Francisco</b>
10/16/03 ALJ Walker Comr Brown	10:00 a.m. I.03-09-030	<b>(OSC)</b> - Investigation on the Commission's own motion into the Santa Clara Valley Transportation Authority's refusal to file an application for the widening of I-880 over the Authority's light rail line at North First Street in the City of San Jose, California, as required by California Public Utilities Code Sections 1201 et seq. and 99152, and Order to Show Cause why the Authority should not be ordered to file an application for Commission approval, <b>Commission Courtroom, San Francisco</b>



10/24/03 ALJ Thomas Comr Kennedy	10:00 a.m. C.03-02-003	(M) - Oakland Unified School District, Complainant, vs. TCG San Francisco (U-5454-C), and AT&T Communications of California (U-5002-C), Defendants, <b>Commission Courtroom, San Francisco</b>
10/24/03 ALJ Barnett	10:00 a.m. C.03-09-009	(ECP) - Thomas B. Webb, Complainant, vs. Southern California Edison Company, Defendant, <b>Palm Desert Public Library – Seminar Room 73300 Fred Waring Drive Palm Desert, CA</b>
10/24/03 ALJ Barnett	11:00 a.m. C.03-07-041	(ECP) - Martin Lax, Complainant, vs. AT & T Communications of California, Inc., Defendant, <b>Palm Desert Public Library – Seminar Room 73300 Fred Waring Drive Palm Desert, CA</b>
10/27/03 ALJ Thorson Comr Brown	9:00 a.m. – 3:00 p.m. A.03-01-034	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
	A.03-01-035	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
	A.03-01-036	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and
	A.03-01-037	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District, <b>Commission Courtroom, San Francisco (also October 28 - 31)</b>
10/27/03 ALJ Allen Comr Brown	10:00 a.m. A.00-11-038	(EH) - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and

	A.00-11-056	<b>(EH)</b> - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and
	A.00-10-028	<b>(EH)</b> - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527, <b>Commission Courtroom, San Francisco</b> <b>(also October 28 – 31 and November 3 – 4)</b>
10/27/03 ALJ Barnett	1:00 p.m. C.03-06-024	<b>(ECP)</b> - Mark Tzalka, Complainant, vs. Southern California Gas Company, Defendant, <b>Commission Courtroom, State Office Building</b> <b>320 West 4<sup>th</sup> Street, Conference Room A</b> <b>Los Angeles, CA</b>
10/28/03 ALJ Patrick	10:00 a.m. C.03-09-017	<b>(ECP)</b> - Maclyn Erickson, Complaint, vs. Southern California Edison Company, Defendant, <b>Department of Transportation, District 5</b> <b>Sycamore Room</b> <b>50 Higuera Street</b> <b>San Luis Obispo, CA</b>
10/28/03 ALJ Vieth Comr Wood	10:00 a.m. C.03-09-027	<b>(TELEPHONIC PHC)</b> - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs. Southern California Edison Company, Defendant, <b>Commission Courtroom, San Francisco</b>
10/29/03 ALJ Malcolm Comr Peevey	9:30 a.m. R.03-09-007	<b>(PHC and WS)</b> - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation, <b>Commission Courtroom, San Francisco</b>
10/29/03 ALJ Walker Comr Kennedy	10:00 a.m. A.02-07-021	<b>(PHC)</b> - In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will Convey Water Rights in the Culver City Customer Service Area, <b>Commission Courtroom, San Francisco</b>

10/29/03 ALJ McVicar Comr Peevey	2:00 p.m. A.03-03-029	<b>(PHC)</b> - In the Matter of the Application of San Diego Gas & Electric Company for Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective, January 1, 2004 (U 902-E), <b>Commission Courtroom, San Francisco</b>
10/30/03 ALJ Bushey Comr Kennedy	10:30 a.m. C.03-02-003	<b>(PHC)</b> - Oakland Unified School District, Complainant, vs. TCG San Francisco (U-5454-C), and AT&T Communications of California (U-5002-C), Defendants, <b>Commission Courtroom, San Francisco</b>
10/31/03 ALJ Walwyn Comr Peevey	10:00 a.m. R.01-10-024	<b>(PHC)</b> - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. (PHC on SDG&E Motion/Calpine Issues), <b>Commission Auditorium, San Francisco</b>
11/3/03 ALJ McVicar Comr Peevey	10:00 a.m. A.03-03-029	<b>(EH)</b> - In the Matter of the Application of San Diego Gas & Electric Company for Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective, January 1, 2004 (U 902-E), <b>Commission Courtroom, San Francisco</b> <b>(also November 4 – 7; and November 10; November 12 – 14)</b>
11/3/03 ALJ DeUlloa Comr Brown	10:00 a.m. A.03-06-040	<b>(EH)</b> - In the Matter of the Application of SOUTHERN CALIFORNIA GAS COMPANY In Compliance with Resolution G-3334 For a System of Firm, Tradable Receipt Point Capacity Rights and Related Provisions (U 904 G), <b>Commission Courtroom, San Francisco</b> <b>(also November 4 – 7)</b>
11/5/03 ALJ Mattson Comr Kennedy	10:00 a.m. A.03-09-008	<b>(PHC)</b> - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and

	A.03-09-031	<b>(PHC)</b> - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, <b>Commission Courtroom, San Francisco</b>
11/6/03 ALJ Simon Comr Brown	10:00 a.m. C.02-11-011	<b>(PHC)</b> - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, <b>Commission Courtroom, San Francisco</b>
11/17/03 ALJ Simon Comr Brown	9:00 a.m. C.02-11-011	<b>(EH)</b> - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, <b>Commission Courtroom, San Francisco</b> <b>(also November 18 - 21)</b>
11/17/03 ALJ McKenzie Comr Wood	10:00 a.m. C.92-04-007	<b>(EH)</b> - Communications Workers of America, Local 9415, Kathleen Kinchius, President, Complainant, vs. Pacific Bell, (U 1001 C), Defendant, <b>Commission Courtroom, San Francisco</b> <b>(also November 18)</b>
11/18/03 ALJ Walker Comr Kennedy	10:00 a.m. A.03-05-039	<b>(EH)</b> - Application for Ex Parte Approval of an Interim Alternative Plan for Protection of the Public Pursuant to General Order 120-C, Sections 3(E) and 6, and
	P.03-05-040	<b>(EH)</b> - Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5, <b>Commission Courtroom, San Francisco</b> <b>(also November 19 – 21)</b>
11/18/03 ALJ TerKeurst Comr Lynch	2:00 p.m. A.02-09-043	<b>(PPH)</b> - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project., <b>San Mateo City Hall Council Chamber</b> <b>330 West 20<sup>th</sup> Avenue</b> <b>San Mateo, CA</b>

11/18/03 ALJ TerKeurst Comr Lynch	7:00 p.m. A.02-09-043	<b>(PPH)</b> - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project., <b>War Memorial Building</b> <b>San Bruno Recreation Center</b> <b>Meeting Room A/B</b> <b>Crystal Springs Ave @ Oak Ave</b> <b>San Bruno, CA</b>
11/19/03 ALJ Malcolm Comr Peevey	10:00 a.m. R.03-08-018	<b>(PHC)</b> - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges, <b>Commission Courtroom, San Francisco</b>
11/24/03 ALJ Barnett	12:00 noon C.03-09-041	<b>(ECP)</b> – Continental Building Control Systems, Inc., Complainant, vs. Allegiance Telecom of California, Inc., Defendant, <b>Commission Courtroom, State Office Building</b> <b>320 West 4<sup>th</sup> Street, Suite 500</b> <b>Los Angeles, CA</b>
11/26/03 ALJ Barnett Comr Wood	2:00 p.m. C.01-01-032	<b>(PHC)</b> - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and
	C.01-01-051	<b>(PHC)</b> - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and
	C.01-09-011	<b>(PHC)</b> - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>
12/4/03 ALJ Terkeurst Comr Lynch	9:00 a.m. A.02-09-043	<b>(EH)</b> - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project, <b>Commission Courtroom, San Francisco</b> <b>(also December 5 and December 8 – 10)</b> <b>(Note: December 8 at 10:00 a.m. and the remaining days at 9:00 a.m.)</b>

12/4/03 ALJ Grau Comr Brown	2:00 p.m. R.03-09-029	<b>(PHC)</b> - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755, <b>Commission Courtroom, San Francisco</b>
12/8/03 ALJ Vieth Comr Wood	2:00 p.m. I.02-06-003	<b>(OA)</b> - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, <b>Commission Courtroom, San Francisco</b>
12/9/03 ALJ Brown Comr Brown	10:00 a.m. A.03-02-027	<b>(EH)</b> - Application of SFPP, LP pursuant to Commission Resolution No. 0-0043 issued October 24, 2002, <b>Commission Courtroom, San Francisco (also December 10 - 12)</b>
1/12/04 ALJ Fukutome Comr Lynch	10:00 a.m. A.03-05-035	<b>(EH)</b> - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006, <b>Commission Courtroom, San Francisco (Also January 13 - 16)</b>
1/12/04 ALJ Pulsifer Comr Kennedy	10:00 a.m. R.95-04-043	<b>(EH)</b> - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
	I.95-04-044	<b>(EH)</b> - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service, <b>Commission Courtroom, San Francisco (also January 13 - 16)</b>

1/12/04	4:00 p.m. &	<b>(PPH)</b> - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura, <b>Oxnard City Hall Council Chamber</b> <b>305 West 3<sup>rd</sup> Street</b> <b>Oxnard, CA</b>
ALJ Walker	7:00 p.m.	
Comr Brown	A.01-10-047	
1/13/04	9:00 a.m.	<b>(EH)</b> - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura, <b>Oxnard City Hall Council Chamber</b> <b>305 West 3<sup>rd</sup> Street</b> <b>Oxnard, CA</b> <b>(also January 14 - 16)</b>
ALJ Walker	A.01-10-047	
Comr Brown		
1/13/04	9:30 a.m.	<b>(WS)</b> - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
ALJ Duda	R.93-04-003	
Comr Peevey		
	I.93-04-002	<b>(WS)</b> - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, <b>San Francisco Civic Center Complex</b> <b>455 Golden Gate Avenue, Hearing Room 9</b> <b>San Francisco, CA</b> <b>(also January 14 - 15)</b>
	<b>(Verizon UNE Phase)</b>	
1/26/04	9:00 a.m.	<b>(EH)</b> - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, <b>Commission Courtroom, San Francisco</b> <b>(also January 27 - 30)</b>
ALJ Simon	A.03-01-013	
Comr Kennedy		

1/26/04 ALJ Malcolm Comr Lynch	10:00 a.m. A.02-07-050	<b>(EH)</b> - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service, <b>Commission Courtroom, San Francisco</b> <b>(January 27 – 30 and February 2 – 3)</b>
2/9/04 ALJ Malcolm Comr Lynch	10:00 a.m. A.03-07-036	<b>(EH)</b> - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006, <b>Commission Courtroom, San Francisco</b> <b>(Also February 10 – 11 and February 23 – 24)</b>
2/23/04 ALJ Walker Comr Brown	10:00 a.m. C.02-07-044	<b>(EH)</b> - The Utility Consumers' Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants, <b>Commission Courtroom, San Francisco</b> <b>(also February 24 – 27)</b>
2/24/04 ALJ Barnett Comr Wood	2:00 p.m. A.02-05-004	<b>(PHC)</b> - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
	I.02-06-002 <b>(PHASE 2)</b>	<b>(PHC)</b> - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, <b>Commission Courtroom, San Francisco</b>
3/1/04 ALJ Barnett Comr Wood	10:00 a.m. A.02-05-004	<b>(EH)</b> - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and



	I.02-06-002 <b>(PHASE 2)</b>	<b>(EH)</b> - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, <b>Commission Courtroom, San Francisco</b> <b>(also March 2 - 4; March 8 - 11; and March 15 - 18)</b>
3/1/04 ALJ TerKeurst Comr Lynch	10:00 a.m. I.02-11-040	<b>(EH)</b> - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and
	I.03-02-033	<b>(EH)</b> - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities, <b>Commission Courtroom, San Francisco</b> <b>(also March 2 - 5; March 8 - 12; March 15 - 19; and March 22 - 26)</b>
6/14/04 ALJ Duda Comr Peevey	9:30 a.m. R.93-04-003	<b>(EH)</b> - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
	I.93-04-002 <b>(Verizon UNE Phase)</b>	<b>(EH)</b> - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, <b>Commission Courtroom, San Francisco</b> <b>(also June 15 - 18)</b>

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### NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van*

*Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

NONE

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**NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))**

NONE

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**NOTICE OF EX PARTE COMMUNICATIONS**

*Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

10/3/03            A99-09-006            Pacific Gas and Electric Company, in the 1999 annual transition cost proceeding.

**Summary:** On September 30, 2003, Sabrina Chaw, Senior Regulatory Representative, Regulatory Relations, Pacific Gas & Electric Company (PG&E), met with Ross LaJeunesse, advisor to Cmmr. Kennedy, in San Francisco. Also present were Manuel Ramirez, advisor to Cmmr. Wood, and Joe O'Flanagan, Director, Vice President and Controller, PG&E. Chaw stated that Cmmr. Lynch's alternate is unacceptable to PG&E as the alternate would require PG&E to place the Hunters Point Power Plant (HPPP) decommissioning costs in the Transition Cost Balancing Account, while ALJ's proposed decision would require that these costs be incorporated into PG&E's general rate case (GRC). Chaw stated that including the costs in the GRC obviates the need for a one-way balancing account for these costs. O'Flanagan stated that the alternate is also inconsistent with the GRC settlement. O'Flanagan also refuted the City and County of San Francisco's arguments that PG&E would profit from insurance proceeds if the HPPP decommissioning costs exceeded the original estimate. O'Flanagan stated further that if ratepayers funded 100% of the decommissioning cost they would be entitled to 100% of the gain and that this would be accomplished by crediting the proceeds to the decommissioning reserve.

**Filer: Pacific Gas and Electric Company**

**Contact: Sandra Ciach**

**Phone: (415) 973-7572**

**email: src5@pge.com**

10/3/03            A00-11-038            Southern California Edison Company, for authority to

	institute a rate stabilization plan with a rate increase and end of rate freeze tariffs.
A00-11-056	Pacific Gas and Electric Company, for emergency application to adopt a rate stabilization plan.
A00-10-028	The Utility Reform Network, for modification of Resolution E-3527.

**Summary:** On September 30, 2003, Greg Bass, Direct Access Operations Manager, Sempra Energy Solutions, representing the Alliance for Retail Energy Markets (AReM), met with David Gamson, advisor to Cmmr. Brown, in San Francisco. Also present were Mike Campbell, advisor to Cmmr. Lynch, Julie Fitch, advisor to Pres. Peevey, Manuel Ramirez, advisor to Cmmr. Wood, Mona Petrochko, Director of Government Affairs, Constellation New Energy, for AReM, and John Leslie, counsel, and Marcie Milner, Director of Regulatory Affairs, for Coral Power. Parties discussed the draft decision of ALJ Wong on AB 117 ESP registration requirements. AReM representatives noted that the DD was circulated without an opportunity for comment and that AB 117 was not self-implementing. AReM representatives stated that the Commission should have initiated a process to accommodate comments respecting the proper balance between the expanded registration requirements of AB 117 and other statutory provisions (e.g. Public Utilities Code Section 391(d)-(f)) that recognize that large commercial and industrial customers do not require the same consumer protections as small commercial and residential customers. AReM representatives expressed concern regarding four of the ESP registration requirements recommended in the DD: fingerprinting, disclosure of officers' felony convictions, reporting of the background of key personnel, and the security deposit.

**Filer: Alliance for Retail Energy Markets**

**Contact: Daniel W. Douglass**

**Phone: (818) 936-2466**

10/3/03	A02-03-047	Southern California Gas Company and San Diego Gas and Electric Company, for Authority to Continue Funding of LEV Programs.
	A02-03-048	Southern California Edison Company, to Extend the Operation of its Electric Vehicle Adjustment Clause Mechanism and Related Accounts until the date of the Commission's Final Decision in Edison's Test Year 2003 General Rate Case Proceeding.
	A02-03-049	Pacific Gas and Electric Company (U 39-E), for Review of and Authorization for Recovery of Costs relating to its Low Emission Vehicle (LEV) Program for 2002 through 2005.

**Summary:** On September 30, 2003, Judy Peck, Regulatory Relations Manager for Sempra Energy Utilities, met with Mike Campbell, advisor to Cmmr. Lynch, in San Francisco. Peck referenced D95-11-035 addressing LEV funding and explained that while that decision disallowed a great deal of funding, it found the programs reasonable

and in compliance with the Commission's guidelines. Peck referred to the joint comments filed by Southern California Gas Company and San Diego Gas & Electric Company on September 25, 2003, and asked the Commission to consider amending the alternate decision to reflect those comments.

**Filer: Sempra Energy Utilities**

**Contact: Renee Le Camus**

**Phone: (415) 202-9986**

**email: rlecamus@semprautilities.com**

10/3/03            R01-10-024            Order Instituting Rulemaking to Establish Policies and  
Cost Recovery Mechanisms for Generation  
Procurement and Renewable Resource Development.

**Summary:** On September 30, 2003, Stephen L. Baum, Chief Executive Officer of Sempra Energy, had a telephone conversation with Pres. Peevey. Also participating in the conversation were Laurence Chaset of the Legal Division, Edwin A. Guiles, Chairman, and Lee Schavrien, Vice President of Regulatory Affairs, for San Diego Gas & Electric Company (SDG&E). Guiles stated that SDG&E is currently on track to have its RFP results presented to the Commission. Guiles stated that the October 3, 2003 filing may reflect an agreement in principle with the combined cycle bidders but will require further detailed negotiations.

**Filer: San Diego Gas & Electric Company**

**Contact: Renee Le Camus**

**Phone: (415) 202-9986**

**email: rlecamus@semprautilities.com**

**Summary: AUGMENTATION REQUIRED.** On September 30, 2003, Bruce Foster, Vice President of Regulatory Operations of Southern California Edison Company (SCE), met with Pres. Peevey in San Francisco. Also present was Lars Bergmann, Director of QF Resources, (SCE). Copies of parties' briefs filed with the Commission, and SCE's August 29, 2003 press release concerning renewable energy, were used. Foster and Bergmann discussed the motion of the California Wind Energy Association for an order requiring changes to SCE's August 2003 Renewable Resources RFP.

**Filer: Southern California Edison Company**

**Contact: Henry Romero**

**Phone: (626) 302-4124**

10/6/03            R01-10-024            Order Instituting Rulemaking to Establish Policies and  
Cost Recovery Mechanisms for Generation  
Procurement and Renewable Resource Development.

**Summary:** On October 1, 2003, Nancy Rader, Executive Director of California Wind Energy Association (CalWEA), met with Pres. Peevey in San Francisco. Also present was Julie Fitch, advisor to Pres. Peevey, and Joseph Karp of White & Case LLP, attorney for CalWEA. CalWEA representatives discussed the September 30, 2003 ALJ's ruling denying CalWEA's motion to modify the most recent request for proposals (RFP) by Southern California Edison Company (SCE). CalWEA representatives expressed disappointment with the Ruling, in that it did not directly order SCE to

conform its RFP to the Assigned Commissioner's ruling issued in August and other legitimate grievances raised by CalWEA in its motion. CalWEA representatives stated that the Commission does not know how SCE will evaluate non-conforming bids. CalWEA representatives raised a concern that SCE could be trying to reach the 20% target under the renewable portfolio standards program without buying from wind generators from the Tehachapi area, so that SCE can then avoid building the transmission line upgrade for that area.

**Filer: California Wind Energy Association**

**Contact: Enoch H. Chang**

**Phone: (415) 544-1100**

**email: echang@whitecase.com**

10/6/03	R95-04-043	Rulemaking on the Commission's own motion into competition for local exchange service and
	I95-04-044	Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** On October 1, 2003, Ed Kolto, General Attorney for Pacific Bell Telephone Company (SBC), met with Tim Sullivan, advisor to Cmmr. Kennedy, in San Francisco. Also present was Elaine Duncan, Vice President General Counsel for Verizon California Inc. Kolto stated that the Federal Communications Commission's (FCC) Triennial Review Order states that the state commissions should first define the relevant geographic markets and then apply a two-step process for evaluating whether there is no impairment for mass market switching. Kolto stated that in the first step, the state commission determines whether the relevant triggers are met; and, if so, no further analysis is required; and if not, the commission evaluates economic and operational criteria to assess whether there is no impairment. Kolto explained that the FCC's order does not require the state commissions to revisit their market definition after they have considered the relevant economic and operational criteria in step two. Kolto noted further that a two-step procedural process would simplify the Commission's analysis and greatly reduce the burden on all parties and the Commission in terms of the amount of evidence that needs to be considered. Kolto also explained SBC's proposal for a two-step batch cut analysis.

**Filer: Pacific Bell Telephone Company dba SBC California**

**Contact: Hugh Osborne**

**Phone: (415) 545-9420**

**Summary:** On September 29, 2003, Elaine M. Duncan, Vice-President General Counsel, Verizon California Inc. (Verizon), met with Tim Sullivan, advisor to Cmmr. Kennedy, in San Francisco. Also present was Ed Kolto, General Attorney for SBC. Written materials (copies attached to the notice) were used. Parties discussed the process for conducting the nine-month mass market switching phase of the Federal Communications Commission's (FCC) Triennial Review case. Duncan stated that the Triennial Review Order was very clear that state commissions should follow a two-step process in which the markets are defined first and the triggers applied. Duncan stated further that only in the event triggers are not satisfied is the Commission required to analyze economic and operational impairment in the same markets based on factors

enumerated by the FCC, and if the triggers are met, no further analysis is required.

**Filer: Verizon California Inc.**

**Contact: Terry Tannen**

**Phone: (415) 474-4921**

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